

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

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**In Re: Douglas J. Bates,**

**Case No.: 91-17392-WCH  
Chapter 7**

**Debtor.**

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**Gayle M. Bates,  
Plaintiff,**

**Adversary Proceeding No. 91-1708**

**v.**

**Douglas J. Bates,  
Defendant.**

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**MOTION TO REOPEN THE DEBTOR'S CHAPTER 7 CASE**

NOW COMES Plaintiff, Gayle M. Bates by her counsel in the above-captioned matter and request the Court to reopen this matter pursuant to 11 U.S.C. § 350 and in support thereof, Plaintiff states the following:

1. Defendant/Debtor, Douglas J. Bates filed for protection under Chapter 7 of the United States Bankruptcy Code on August 30, 1991.
2. Adversary Proceedings was filed against the Defendant on December 4, 1991.
3. Agreement for Judgment was filed by the parties in the Case No. 91-17392 on April 5, 1993 (Copy of Agreement for Judgment attached as Exhibit A).
4. An Order Granting Approval of the Agreement for Judgment was filed in the United States Bankruptcy Court, District of Massachusetts, Case No. 91-17392-WCH, Adversary Proceeding No. 91-1708 on April 29, 1993.
5. The Adversary Proceedings were closed on May 27, 1993.

6. Defendant/Debtor received a discharge from the United States Bankruptcy Court on May 28, 1992.
7. Defendant has failed to act as provided for in the Agreement for Judgment.
8. Plaintiff requests that this matter be reinstated to allow for enforcement and collection efforts of the judgment.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to reopen the Chapter 7 of the Debtor, Douglas J. Bates, Case No. 91-17392, without further notice or hearing.

Respectfully submitted,  
GAYLE M. BATES, Plaintiff  
By her Attorney,

Dated: October 12, 2011

By: /s/ Wayne V. Gilbert  
Wayne V. Gilbert, BBO# 640986  
Gilbert Law Offices, P.C.  
549 Columbian Street, Suite 318  
Weymouth, MA 02190  
(781) 340-9505  
Email: [wgilbert@attorneygilbert.com](mailto:wgilbert@attorneygilbert.com)

**CERTIFICATE OF SERVICE**

I, Wayne V. Gilbert, Attorney for Plaintiff, Gayle M. Bates, hereby certify that a true copy of the foregoing Motion to Reopen the Debtor's Chapter 7 Case by Wayne V. Gilbert, Esquire, for Plaintiff Gayle M. Bates was served via the United States Bankruptcy Court's CM/ECF filing system or by mail to all persons in interest at the addresses set forth below, by first class mail, postage prepaid, on this 12<sup>th</sup> day of October, 2011.

By: /s/ Wayne V. Gilbert

Wayne V. Gilbert  
Gilbert Law Offices, P.C.  
549 Columbian Street, Suite 318  
Weymouth, MA 02190  
(781) 340-9505  
BBO# 640986

Office of the United States Trustee  
J.W. McCommack Post Office & Courthouse  
5 Post Office Square  
Boston, MA 02109-3945

Mr. Douglas J. Bates  
380 Ocean Rd. #14  
Portsmouth, NH 03801

John O. Desmond  
Chapter 7 Trustee  
24 Union Avenue  
Framingham, MA 01702

Exhibit "A"

**DOCKETED**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

In re:

DOUGLAS J. BATES  
DebtorGAYLE M. BATES  
Plaintiff

v.

DOUGLAS J. BATES  
Defendant

Chapter 7

Case No. 91-17392 WCH

Adv. Proc. No. 91-1708

## JOINT MOTION FOR APPROVAL OF AGREEMENT FOR JUDGMENT

Gayle M. Bates, the Plaintiff in the above-captioned Adversarial Proceeding, and Douglas J. Bates, the Defendant herein, hereby move that this Honorable Court approve the attached "Agreement for Judgment." In support thereof, Plaintiff and Defendant state as follows:

1. Defendant agrees to transfer to the Plaintiff the parcel of land located on the southerly side of Cedar Island, Clinton, Connecticut shown as Lot No. 9 on the Assessor's Map No. 46 of the Town of Clinton. Defendant shall convey the property by good and sufficient deed conveying good and clear record thereto, as provided in the attached Agreement for Judgment. The Chapter 7 Trustee, John O. Desmond has abandoned this parcel of property from Debtor's estate.

2. Defendant agrees to pay to Plaintiff the sum of \$400.00.

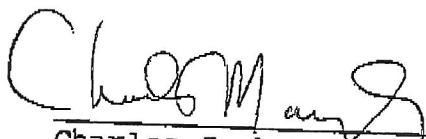
(12)

3. Upon compliance by Defendant under the terms of the "Agreement for Judgment," Plaintiff shall submit an affidavit to this Honorable Court. Upon receipt of Plaintiff's Affidavit attesting to Defendant's compliance, Defendant and Plaintiff request that the Adversarial Proceeding be dismissed, with prejudice, and without costs of either party.

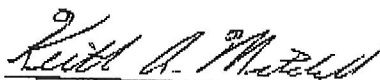
WHEREFORE Plaintiff and Defendant respectfully request that this Honorable Court sign the attached Order approving the attached "Agreement for Judgment."

GAYLE M. BATES  
By her attorney,

DOUGLAS J. BATES  
By his attorney,



Charles G. Murphy, Esq.  
55 Union Street  
Boston, MA 02108  
(617) 589-3939



Keith A. Mitchell (bma# 04695)  
Law Offices of Richard J. Boudreau  
128 Wheeler Road  
Burlington, MA 01803  
(617) 272-0055

Dated: April 2, 1993

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

\*\*\*\*\*  
IN RE: DOUGLAS J. BATES, \*  
\*  
GAYLE M. BATES, \*  
\*  
Creditor/Plaintiff \*  
\*  
v. \*  
\*  
DOUGLAS J. BATES, \*  
\*  
Debtor/Defendant \*  
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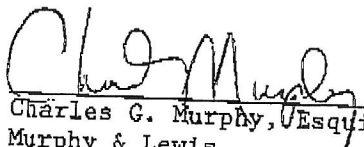
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CHAPTER 7  
CASE NO. 91-17392WCH

AGREEMENT FOR JUDGMENT

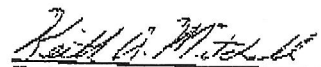
NOW COME THE PARTIES TO THIS ACTION AND STIPULATE AND AGREE  
AS FOLLOWS:

1. Douglas Bates, Debtor/Defendant herein shall forthwith transfer to the Plaintiff, Gayle Bates the parcel of land located on the southerly side of Cedar Island, Clinton, Connecticut shown as Lot No. 9 on Assessor's Map No. 46 of the Town of Clinton. The property shall be conveyed by good and sufficient deed conveying good and clear record and marketable title thereto free from encumbrances except provisions of existing building and zoning laws, taxes for the current year as are not yet due and easements, restrictions and reservations of record.
2. Douglas Bates shall forthwith pay to Gayle Bates the sum of \$400.00.
3. Upon compliance by Mr. Bates with paragraph one and two herein this action shall be dismissed with prejudice and without costs to either party.

Creditor/Plaintiff, Gayle M. Bates,  
By her attorney,

  
Charles G. Murphy, Esquire  
Murphy & Lewis  
100 Summer Street, Suite 2903  
Boston, MA 02110  
(617) 338-2154

Debtor/Defendant, Douglas J. Bates.  
By his attorney,

  
Keith Mitchell, Esquire  
Law Offices of Richard J. Boudreau  
128 Wheeler Road  
Burlington, MA 01803

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

In re:

DOUGLAS J. BATES  
Debtor

GAYLE M. BATES  
Plaintiff

v.

DOUGLAS J. BATES  
Defendant

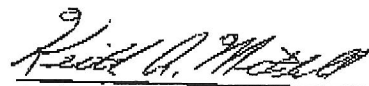
Chapter 7  
Case No. 91-17392 WCH  
Adv. Proc. No. 91-1708

CERTIFICATE OF SERVICE

I, Keith A. Mitchell, hereby certify that on this date I caused to be served a copy of Joint Motion for Approval of Agreement for Judgment and Order by first class mail, postage prepaid upon the following:

United States Trustee  
O'Neill Federal Office Building  
10 Causeway St., Room 472  
Boston, MA 02222

John O. Desmond, Esq.  
24 Union Avenue  
Framingham, MA 01701  
Chapter 7 Trustee

  
Keith A. Mitchell

Dated: April 2, 1993